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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,256	01/21/2004	Kia Silverbrook	WAL08US	1578
24011	7590	11/10/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			COLILLA, DANIEL JAMES	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/760,256	SILVERBROOK ET AL.	
	Examiner	Art Unit	
	Daniel J. Colilla	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) 10,11,17-30,33-36 and 41-47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,13-16,31,37-40,48 and 49 is/are rejected.
- 7) ☒ Claim(s) 12 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 2 and 38 are objected to because of the following informalities:

In claim 2, the language, "representing the pattern as a symbol" appears to be a double recitation of that which has already been recited in claim 1.

In claim 38, the phrase, "using the one or more input devices to communicate with the process so as to capture data regarding one or more customer's requirements" does not appear to add any new limitations to that which is already recited in claim 1, and therefore appears to be a double recitation.

Similarly, the language, "the data comprising at least a customer selected pattern" appears to be a double recitation of that which is already recited in claim 1.

Also in claim 38, "printing a roll of wallpaper. . . on demand according to the selected pattern" is also a double recitation.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7, 13, 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288).

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With respect to claims 1-2, Martin discloses the claimed method except for the selection of a pattern being communicated by input of a symbol of the selected pattern. Martin discloses the claimed method for printing wallpaper including a web of media 27, a cabinet (housing of on-demand printer 18), a media path in the cabinet in which a printhead 20 is located and control electronics 38 which include a microprocessor as mentioned in paragraph [0009], lines 15-16 of Martin. A media winding area and loading area are shown below in the Figure taken from Figure 2 of Martin:

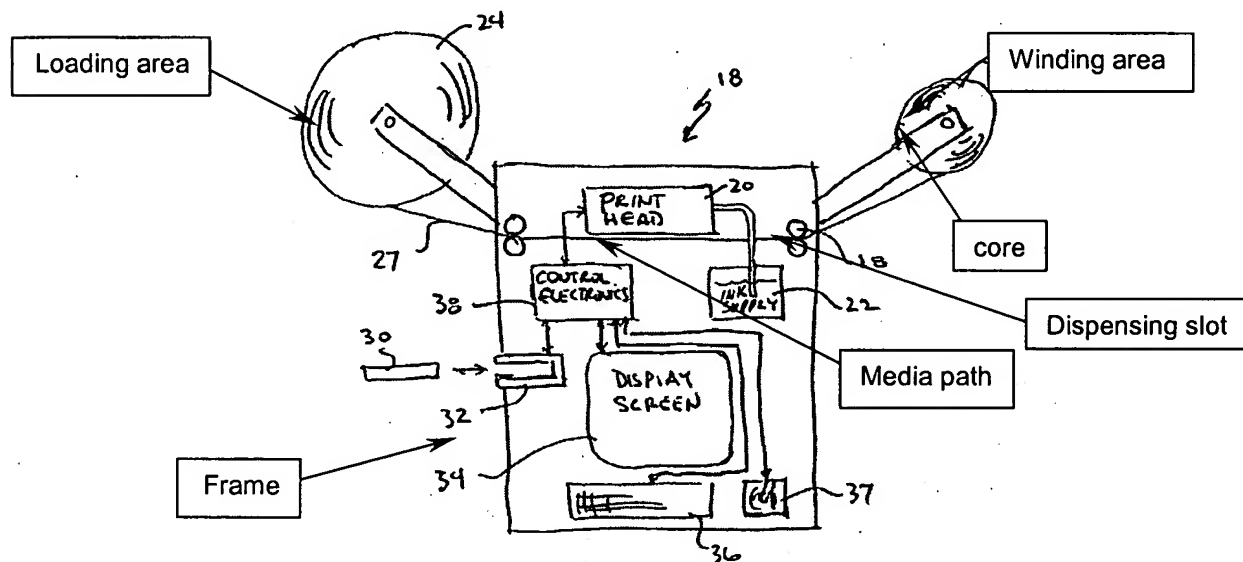


FIG. 2

Martin further discloses using input devices 36 and 37 for receiving operator inputs. The operator can arrange digital images (thus creating a specification for an operator's requirements) using the input devices (the microprocessor capturing data from the input devices). The operator can further specify his requirements by selecting decorative shapes, borders or image processing effects as mentioned in paragraph [0010], lines 7-11 of Martin. Adams et al. teaches selection of an image by pressing a thumbnail mark of that image on a computer interface (see

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Figure 1 of Adams et al.). It would have been obvious to combine the teaching of Adams et al. with the method for printing wallpaper disclosed by Martin for the advantage of easily selecting patterns in a memory by selection of a visually displayed representation of that pattern.

With respect to claim 3, Martin discloses a source of personal digital images (patterns) on a storage device 30 such as a digital memory card or picture CD (paragraph [0009], lines 9-12) which is located in the cabinet as shown in Figure 2 of Martin. The digital images are inherently selectable since the microprocessor allows the user to compose a wallpaper border pattern using the personal images.

With respect to claim 4, Martin discloses a display screen 34 for depicting the selected pattern (paragraph [0010], lines 3-7).

With respect to claim 7, applicant has not defined what the “configuration” is in the claims. To the extent that this term is understood, it appears that Martin discloses displaying the configuration on display screen 34. The display of the arrangement of personal digital images and decorative shapes, image processing effects, as mentioned in paragraphs [0009] and [0010] is considered to be the display of the configuration.

With respect to claim 13, Martin discloses that the operator can apply image processing effects which would result in a modification to the pattern (paragraph [0010], lines 9-11).

With respect to claim 38, in paragraph [0011], Martin mentions delivering the wallpaper to a customer. A customer inherently implies that there is a monetary transaction being performed. Or in other words, the customer is being charged for the wallpaper.

With respect to claim 40, Martin discloses the recited method and structure as mentioned above with respect to claim 1. Martin further discloses a frame in which is located the media path

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and a core as shown above in the Figure taken from Figure 2 of Martin. The core is removable in the sense that it can be removed by reversing the process in which it was assembled.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288) as applied to claims 1, 3-4, 7, 13 and 40 above, and further in view of Goldstein (US 2002/0069078).

Martin in view of Adams et al. discloses the claimed method for printing wallpaper except for using the video display 34 as a touch screen input device. However, Goldstein teaches a method of printing wallpaper (see abstract) including the step of utilizing a touch screen to interact with a website that operates with a custom wallpaper creation program 102 (Goldstein, paragraph, [0058], lines 22-27). It would have been obvious to combine the teaching of Goldstein with the method of printing wallpaper disclosed by Martin in view of Adams et al. because a touch screen provides a commonly known operator interface.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288), as applied to claims 1, 3-4, 7, 13 and 40 above, and further in view of Gerber (WO 03/064170).

Martin in view of Adams et al. discloses the claimed method for printing wallpaper except for the step of providing the printer with a scanner for capturing data that specifies a selected pattern. However, Gerber discloses a method of printing wallpaper (see page 2, lines 1-23), including the step of providing a scanner 24 for scanning existing designs and/or patterns (i.e., capturing data that specifies a selected pattern) to be used in a wallpaper design (page 3, lines 18-20; 31-33). It would have been obvious to combine the teaching of Gerber with the

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method disclosed by Martin in view of Adams et al. for the advantage of allowing an operator to select any existing hardcopy print or pattern for use in a wallpaper design.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288) as applied to claims 1, 3-4, 7, 13 and 40 above, and further in view of Ogura et al. (JP 01-053968).

Martin in view of Adams et al. discloses the claimed method of printing except for the step of loading a media cartridge into the printer and the step of automatically threading the media from the loading area to the winding area. However, Ogura et al. discloses loading a media cartridge 1 into a printer as shown in Figures 1, 2, 5, 6 and 12 of Ogura et al. The cartridge 1 contains unprinted media as stated in the first sentence of the Constitution portion of the English abstract. Ogura et al. further discloses using a motor 137 for advancing the unprinted web into the printing path of the printer. It would have been obvious to combine the teaching of Ogura et al. with the method of printing disclosed by Martin in view of Adams et al. for the advantage of a simple process of installing the unprinted media and removing the printed media, and for the advantage of protecting the media from the outside and printer environments. It is inherent that the media is threaded from the loading area to the winding area in order for the printer to operate. However, it is not known to the examiner if this step is automatic or not. However, it has been held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art (see MPEP § 2144.04, part III). It would have been obvious to automatically thread the media to create less manual work for the operator.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288) and Ogura et al. (JP 01-053968) as applied to claim 14 above, and further in view of Bilek (US 4,322,044).

Martin in view of Adams et al. and Ogura et al. discloses the claimed method of printing wallpaper except for the step of severing the printed roll on the core from the web. Martin discloses loading a media tote 1 into the winding area as shown in Figures 1, 2, 5, 6, 12 and 19 of Martin. Further disclosed is winding a printed roll of paper onto a core 7 inside the tote 1 (see second sentence of the Constitution portion of the English abstract). Bilek teaches a printer with a take-up roll core 39 and a paper tear bar 34 used for severing the print media web 19 from the supply roll 17 (Bilek, col. 3, lines 21-22). It would have been obvious to combine the teaching of Bilek with the printing method disclosed by Martin in view of Adams et al. and Ogura et al. for the advantage of readily having a device available for separating the take-up roll core from the supply of web media.

8. Claims 8-9, 16, 31 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288), as applied to claim 1 above, and further in view of Erickson et al. (US 5,751,303).

With respect to claims 8 and 16, Martin in view of Adams et al. discloses the claimed method for printing wallpaper except for the steps of loading, winding and severing. However, Erickson et al. teaches a method of printing including loading an empty core 510 in a winding area, winding a printed roll onto the core and severing the printed roll on the core from the web

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28 using an automated cutting mechanism that receives a signal from the processor 532 (Erickson et al., col. 14, lines 66-67 and col. 15, lines 1-6). It would have been obvious to combine the teaching of Erickson et al. with the method disclosed by Martin in view of Adams et al. for the advantage of the cutter for automatically severing the printed web from the non-printed web.

With respect to claim 9, Martin discloses determining the length in advance and inputting the length as part of the configuration of the printer in paragraph [0010].

With respect to claim 31, Martin discloses a self-contained printer as shown in Figure 2 of Martin. Martin further discloses that the printer prints in color (Martin, paragraph [008]), and the printhead 20 must be full-width since it prints across the full width of the media as shown in Figure 1 of Martin. Furthermore, the inputs, mentioned above with respect to claim 1, configure the printer for printing a particular roll. With respect to the winding area being adapted to removably retain a core, since the core 510 disclosed by Erickson et al. was attached to winding area in one manner or another, it can also be detached.

With respect to claim 37, Martin discloses determining the length by operator input as mentioned above with respect to claim 9. Martin further discloses design of the roll as mentioned above with respect to claim 1. Furthermore, these inputs configure the printer for printing a particular roll. With respect to the winding area being adapted to removably retain a core, since the core 510 disclosed by Erickson et al. was attached to winding area in one manner or another, it can also be detached.

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9. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US 2002/0171692) in view of Adams et al. (US 2004/0085288) Ogura et al. (JP 01-053968) as applied to claim 14 above, and further in view of Yada et al. (JP 2003063700) and Oda (JP 03147899).

Martin in view of Adams et al. and Ogura et al. discloses the claimed method for printing wallpaper as mentioned above with respect to claim 14, except that Martin does not disclose a pilot guide or an additional motor. Martin additionally discloses a dispensing slot as shown in the above Figure taken from Figure 2 of Martin. Ogura et al. teaches a media cartridge 1 with a supply slot 5 as shown in Figure 2 of Ogura et al. Yada et al. teaches a pilot guide 4220 for print media 100b as shown in Figure 15 of Yada et al. In the combination the supply slot It would have been obvious to combine the teaching of Yada et al. with the printing method disclosed by Martin in view of Adams et al. and Ogura et al. for the advantage of guiding the print media in the desired direction through the printer so that it does not jam and disrupt the printing process.

Oda teaches a printer with two motors for feeding the print media 4. The motor 18 is connected to the winding core 16 as shown in Figure 1 of Oda. It would have been obvious to combine the teaching of Oda with the printing method disclosed by Martin in view of Ogura et al. for the advantage of assisting the print media in moving through the printer and winding up on the winding core 16. In particular this would be useful when a large roll of media is being printed and the winding core gets difficult to move.

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Allowable Subject Matter

10. Claims 12 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

11. Applicant's arguments filed 9/6/05 have been fully considered but they are not persuasive of any error in the above rejection.

The Adams et al. reference has been added to the above prior art rejection in order to provide a teaching of selection of a pattern being communicated by input of a symbol of the selected pattern. Such as type of selection is well-known in the graphical user interface art. One of ordinary skill would in the art would have looked to this art when designing an easy to use computer input interface.

It is noted that some elected claims had not been addressed in the previous Office action . Therefore, these claims have been addressed here for the first time and this action has been made non-final.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 4, 2005



Daniel J. Colilla
Primary Examiner
Art Unit 2854